



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Jeffrey Chodosh Confirmation No. 2156
Application No. : 10/733,822
Filed : December 10, 2003
Title : BEVERAGE CONTAINER ATTACHMENT
Grp./Div. : 1761
Examiner : Sarah Louise Kuhns
Docket No. : 51483/GSL/C987

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068

Commissioner:

I, David Jeffrey Chodosh, declare and state as follows:

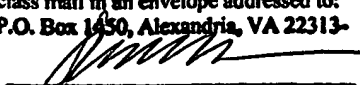
1. I believe that I am the original, first and sole inventor of the subject matter described and claimed in U.S. Patent Application Serial No. 10/733,822, filed on December 10, 2003 (the AApplication@), which claims the benefit of U.S. Provisional Patent Application No. 60/480,580, filed on June 19, 2003.

2. As shown by the following facts, the invention claimed in the Application was already conceived by me in this country on March 12, 1998, and was diligently pursued in a patent application filed on June 19, 2003.

3. As can be evidenced by my original invention drawings dated March 12, 1998, true and accurate copies of which are attached hereto as Exhibit A, the invention described in the Application was conceived on March 12, 1998.

4. As shown in a confidential product submission form of February 13, 2000, relating to OddzOn Toy Co., with attached drawings, dated March 12, 1998, true and accurate copies of which are attached hereto as Exhibit B, the invention described in the Application was already conceived on March 12, 1998.

5. As shown in a further product submission form of July 18, 2002, relating to Applause Toy Co., with attached drawings dated March 12, 1998, true and accurate copies are

I hereby certify that this correspondence is being deposited with the
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(Date of Deposit) 

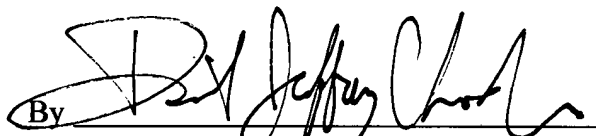
Application No. 10/733,822

attached as Exhibit C, the invention described in the Application was already conceived on March 12, 1998.

6. I diligently worked with my patent attorney in describing and claiming the subject matter of the invention in an application which was diligently filed on June 19, 2003 and assigned Serial No. 60/480,580, which the Application claims the benefit of.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

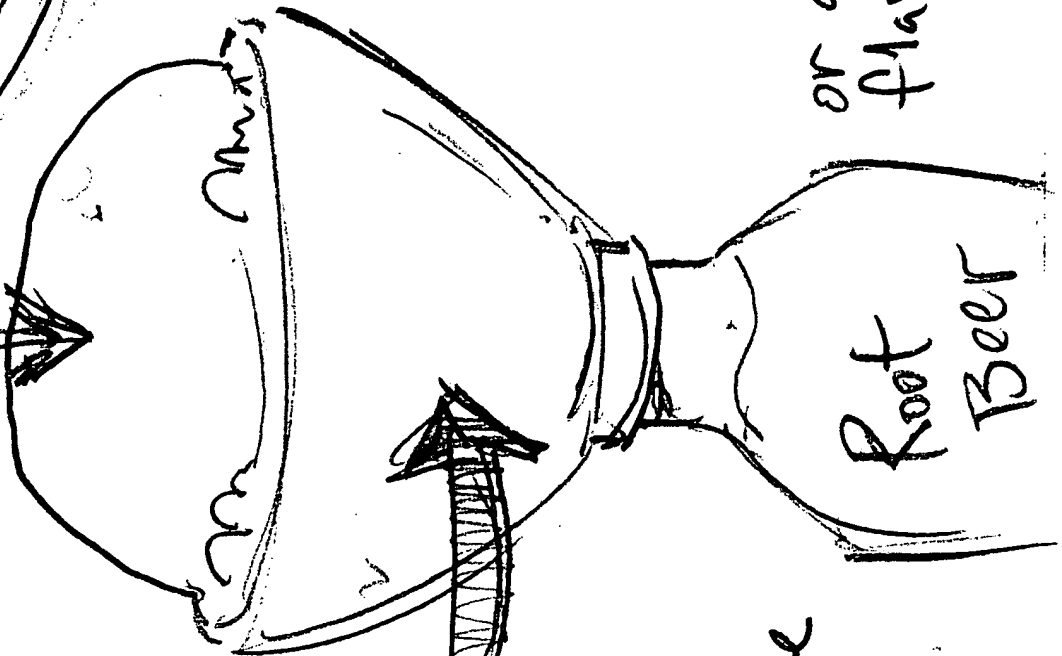
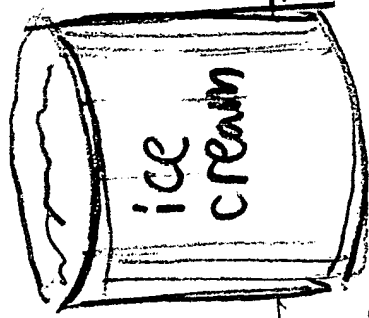
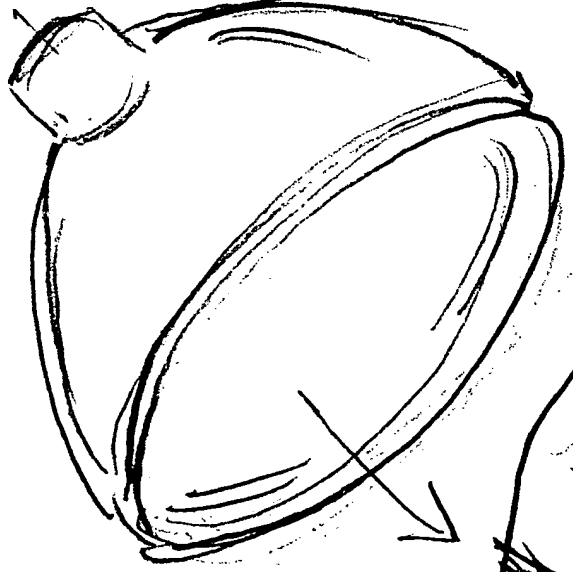
Date OCTOBER 25, 2005

By 
David Jeffrey Chodosh

GSL/vsj

VSJ PAS649570.1-*--10/24/05 2:27 PM

EXHIBIT A



twist
on
cup
onto
Soda
Bottle

or any
flavor!!

Float-2-Go 1/2

D Chodosh 3.12.98

Licensed Characters,
Sports Logos
Team or
molded on

Spout

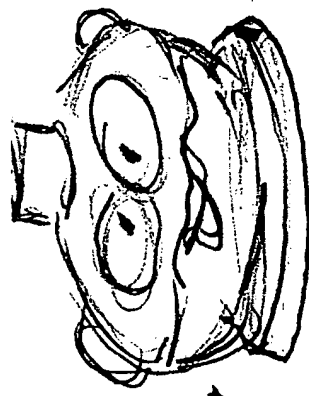
Lid

Straw
molded
in

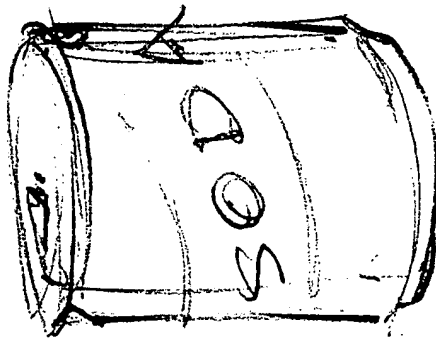
Threads
on
inside

ice cream
mixing

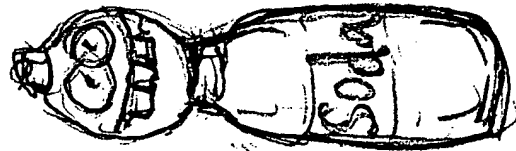
Chamber - see
the volcano!



Lid →
Base →



soda can
version



bottle
version

Flat-2-Go ^{2/2}

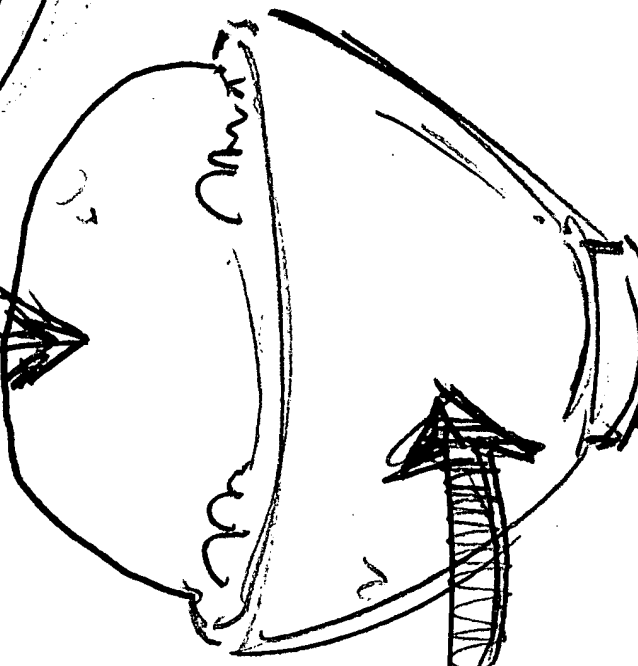
Dr. Chodosh

3.12.98

EXHIBIT B

← airtight spout

-Lid-
snaps or screws
onto cup

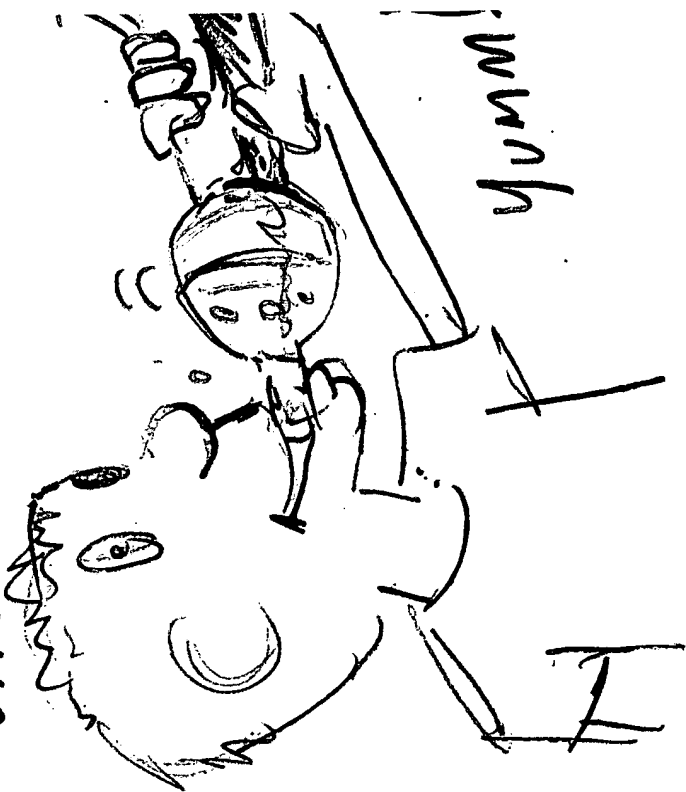


twist
on
cup
onto

Soda
Bottle

or any
flavor!!

Root
Beer



yumm!

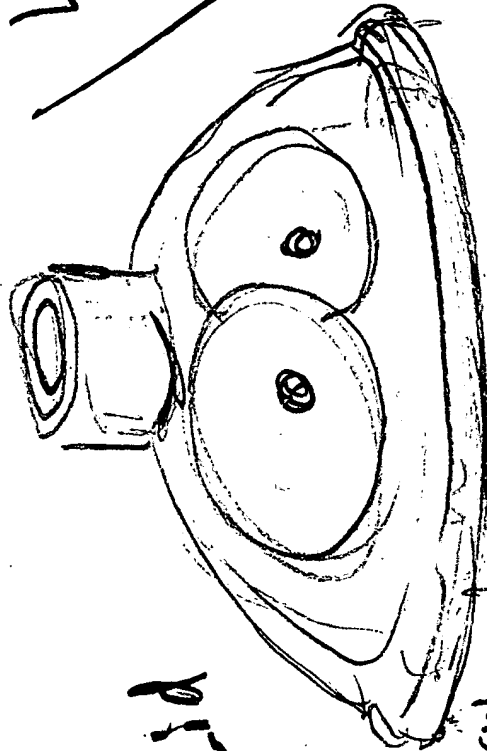
Float-2-Go ^{1/2}

D Chodosh

3.12.98

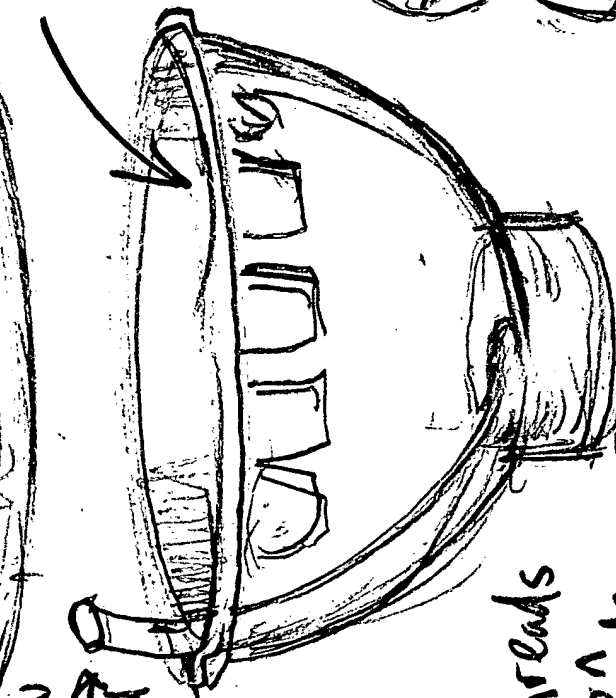
spoon

Lid



Licensed Characters,
Sports Logos
Team molded on

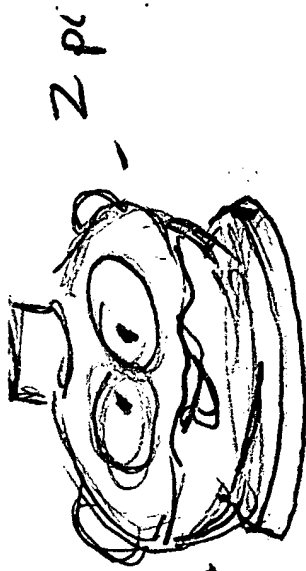
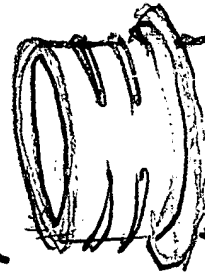
Straw
molded in



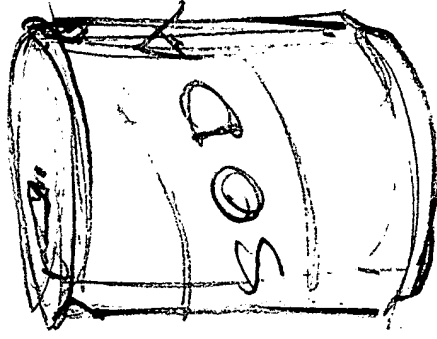
ice cream
mixing

Chamber - see
the volcano!

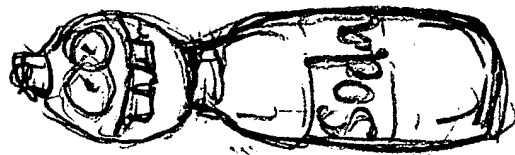
threads
on
inside



Lid
Base



soda can
version



bottle
version

Flat-2-Go

2/2

Dr. Chodosh

3.12.98

EXHIBIT C

**APPLAUSE LICENSING
STATEMENT OF POLICY CONCERNING
SUBMITTED IDEAS**

POLICY

New product ideas are important to Applause. While we employ a staff of designers and engineers to develop new products for us, we are also receptive to offers of rights to new ideas from certain sources outside the company. We receive many unsolicited outside ideas and have found that most of these are not new and often are either concepts which are already in the public domain or are the same or similar to ideas developed by our own staff. For these reasons, and in order to avoid any disagreements, Applause can review outside ideas only according to the conditions of the agreement below. If these conditions are found to be acceptable, you are invited to sign and return one copy of this form to:

Applause Licensing
6101 Variel Avenue
Woodland Hills, California 91365-4183
Attn: Joanne Wells

AGREEMENT

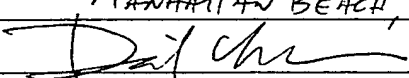
Our policy requires that we accept outside submissions only when accompanied by a signed copy of this Agreement and further that we accept only such matter as is reduced to writing, dated and signed by you and acknowledged by us. Please understand that it is necessary for us and for your protection to retain a record of your disclosure for our files.

1. The disclosure must be understood to be purely voluntary and no confidential relationship is to be established by such disclosure or implied from our consideration of the submitted material, and the material is not to be considered submitted "in confidence." Confidential relationships have been held to create obligations which are beyond those that the company is willing to assume.
2. No obligation of any kind is assumed by, nor may be implied against, Applause unless and until a formal written contract has been entered into, and then the obligation shall be only such as is expressed in the formal written contract executed by an officer of Applause. Applause does agree, however, not to produce or market this product prior to the execution of the above mentioned formal written contract, subject to statements contained herein. Applause has no obligation to compensate you for any damage which may occur in shipment. All materials are submitted at your own risk, and Applause will have no responsibility for loss or damage to the materials submitted. Any claims for loss or damage occurring during shipment should be filed directly with the transportation company.
3. We assure you that we intend to deal fairly with you in connection with your disclosure. You must understand and agree that in return for receiving and examining your disclosure, we are released from any liability in connection with the receipt and examination of your disclosure or in connection with our use or disclosure to others of any portion of your disclosure, except as to such liability that Applause may have to you under any valid patents, trademarks or copyrights that you now or hereafter own or control. Applause

alone shall determine whether compensation shall be paid, and if paid, the amount of such compensation.

4. The name and a brief description of the product idea in simplistic terms should be written in the designated area below. Our review of your idea and/or an offer to negotiate with you is not an admission of novelty, priority or originality and does not prejudice our rights to contest any existing or future patents or copyrights on the idea. All features which you believe to be unique or points of differentiation must be outlined below, and this area must be completed in full for your submission to be eligible for review and evaluation by Applause. Any form received without this information will be returned for completion.
5. No employee or representative of Applause is authorized to solicit any disclosure or to do any other act or make any representations from which any relationship may be implied other than that expressed in this document.

I represent and warrant that I am the author/creator of this submission, that I own it and have the right to submit it to others and that to the best of my knowledge it does not infringe upon or violate the rights of any third party(ies). I accept the terms and conditions of the above agreement as the basis for submitting my ideas to Applause and for you to consider them.

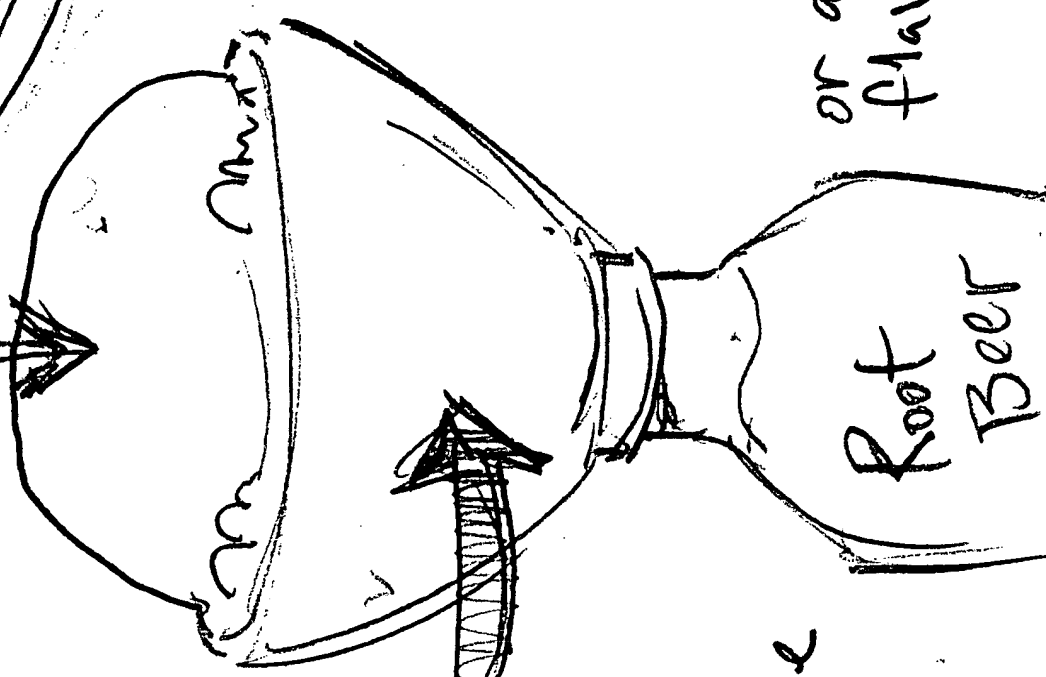
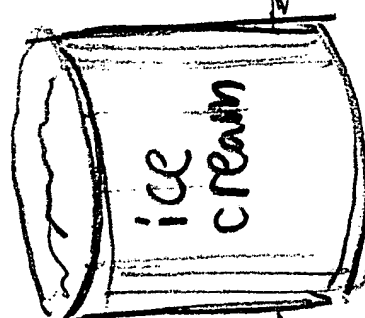
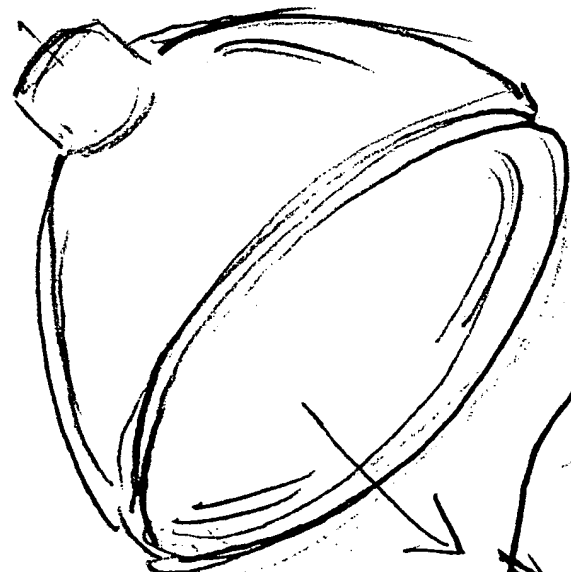
Name: DAVID CHODOSH Date: 7-18-02
Company: IONZO, INC. Phone: 310-937-0202
Address: 1816 5 ST.
MANHATTAN BEACH, CA 90266
Signature: 

ITEM DESCRIPTION
(please attach picture of item)

"FLOAT-2-GO" - ICE CREAM CUP THAT SCREWS
ONTO SODA BOTTLE ALLOWING CUSTOM MIXING
FOR AN INSTANT ICE CREAM SODA FLOAT

← arctic spout

-Lid-
snaps or screws
onto cup



twist
on
cup
onto
Soda
Bottle

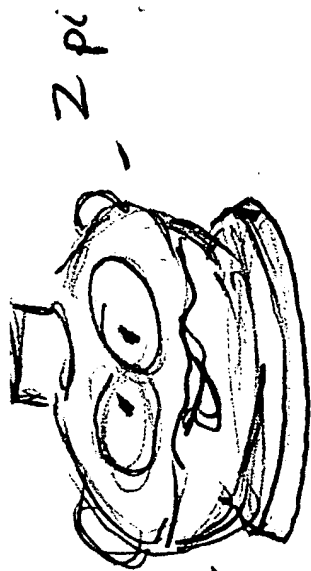
or any
flavor!!



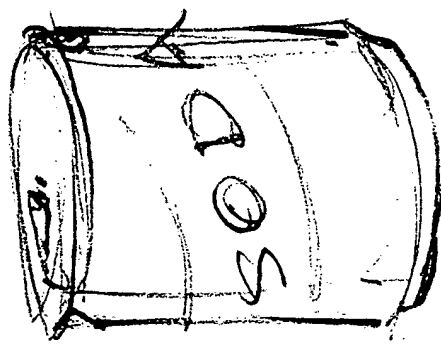
yum!

Float-2-Go 1/2

D. Chodosh 3.12.98

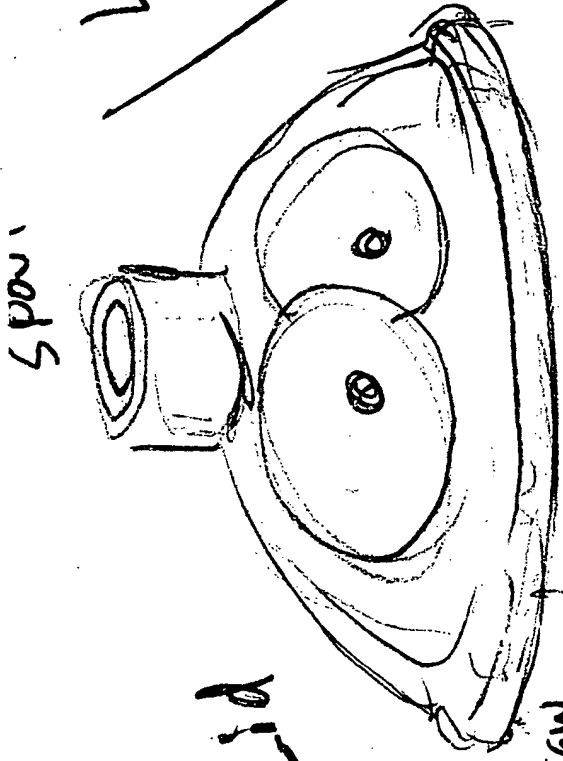


2 pc



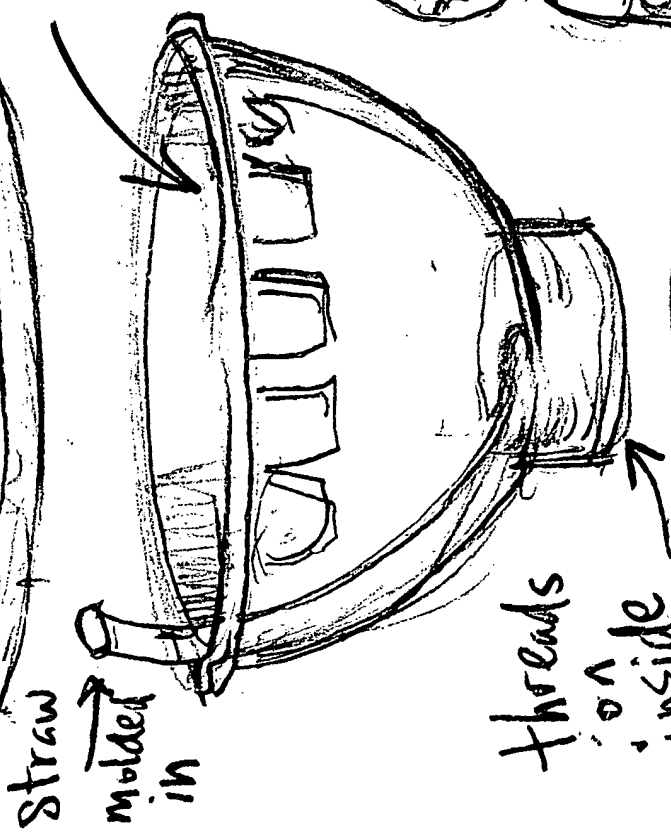
soda can
version

Lid →
Base →
Licensed Characters,
Sports Logos
can be molded on



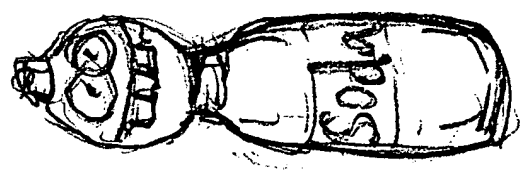
Lid

ice cream
mixing
chamber - see
the volcano!



straw
molded
in

threads
on
inside



bottle
version

Float-2-Go 2/2

D. Chodosh

3.12.98

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